

**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Part 52**

[IN41-1-6343b; FRL-5221-7]

**Approval and Promulgation of Implementation Plans; Indiana****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Proposed rule.

**SUMMARY:** The United States Environmental Protection Agency (USEPA) proposes to approve Indiana's August 3, 1994, and February 6, 1995, submittal of requested revisions to the Indiana State Implementation (SIP) for ozone which applies Reasonably Available Control Technology to all major sources of volatile organic compounds in moderate and above ozone nonattainment areas, including those sources for which USEPA has not issued a control techniques guideline (CTG) (i.e., non-CTG sources). In the final rules section of this **Federal Register**, the USEPA is approving this action as a direct final rule without prior proposal because USEPA views this as a noncontroversial action and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If USEPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on the proposed rule. USEPA will not institute a second comment period on this action, unless warranted by significant revisions to this rulemaking based on any comments received in response to this action. Any parties interested in commenting on this notice should do so at this time.

**DATES:** Comments on this proposed rule must be received on or before August 4, 1995.

**ADDRESSES:** Written comments should be mailed to: J. Elmer Bortzer, Chief, Regulation Development Section, Regulation Development Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State submittal and USEPA's analysis of it are available for inspection at: Regulation Development Section, Regulation Development Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:**

Rosanne Lindsay, Regulation Development Section, Regulation Development Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6036.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule published in the rules section of this **Federal Register**.

Dated: May 25, 1995.

**Valdas V. Adamkus,**

*Regional Administrator.*

[FR Doc. 95-16360 Filed 7-3-95; 8:45 am]

**BILLING CODE** 6560-50-P

**40 CFR Parts 63 and 430**

[FRL-5253-8]

**RIN 2060-AD03 and 2040-AB53****Effluent Limitations Guidelines, Pretreatment Standards, and New Source Performance Standards: Pulp, Paper, and Paperboard Category; National Emission Standards for Hazardous Air Pollutants for Source Category: Pulp and Paper Production**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of data availability.

**SUMMARY:** On December 17, 1993, EPA proposed standards to reduce the discharge of water pollutants and emissions of hazardous air pollutants from the pulp, paper, and paperboard industry (58 FR 66078). This action announces the availability of additional data and information that EPA will consider for the promulgation of effluent limitations guidelines and standards and air emission standards for this industry.

**DATES:** Comments are not solicited at this time. They will be solicited at a later date.

**ADDRESSES:** The data being announced today have been placed in the EPA Water Docket at EPA Headquarters at Waterside Mall, room L102, 401 M Street SW., Washington, DC 20460, telephone (202) 260-3027. The Docket staff requests that interested parties call for an appointment before visiting the Docket. A reasonable fee may be charged for copying.

**FOR FURTHER INFORMATION CONTACT:** Ms. Debra Nicoll, Engineering and Analysis Division (4303), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, telephone number (202)260-5386.

**SUPPLEMENTARY INFORMATION:****Overview**

On December 17, 1993 (58 FR 66078), EPA proposed standards to reduce the discharge of toxic, conventional, and nonconventional pollutants and emissions of hazardous air pollutants from the pulp, paper, and paperboard industry. On March 17, 1994 (59 FR 12567), EPA published a correction notice to the proposed rules and extended the comment period, which closed on April 17, 1994. In the preamble to the proposed rules, EPA solicited data on various issues and questions related to the proposed effluent standards. The Agency has received new information on some of these topics and has added new information to the Docket. Today's notice announces the availability of new information in the Water Docket for the Pulp, Paper, and Paperboard Point Source Category. Subsequent sections of today's notice summarize the information that has been added to the Water Docket.

The Water Docket also houses the public comments that EPA received on the proposed rulemaking. To assist reviewers in finding the public comments and the materials announced today, a Users Guide for the record is available in the Water Docket. The materials announced today appear in the record starting at Section 18.

EPA is still reviewing the data announced today and therefore does not publish any analyses in this notice. Accordingly, the Agency is not soliciting comment on this notice or the new data at this time. EPA will publish its analyses, including any new regulatory options, if appropriate, in a subsequent notice. At that time, EPA will establish a 30-day comment period to solicit comment on the new information and new analyses. The Agency's intention in making the additional data available in the Docket at this time is to provide the public as much time as possible to review the new information. After making more progress in reviewing the data, the Agency will then request comment on the data and the Agency's findings. EPA received (and welcomed) considerable data after the close of the comment period on April 18, 1994. All comments submitted after that date will be considered as though timely filed and are part of the administrative record. There is no need for commenters to resubmit data or comments already sent to EPA.

The Agency issued a previous notice of data availability on February 22, 1995 (60 FR 9813). In that notice, EPA

announced the availability of new data related to the proposed air emissions standards; that new data is located in Air Docket A-92-40. EPA did not solicit comment on that data in the notice. EPA will seek comment on that information in a subsequent notice.

#### **EPA Sampling Activities**

Following the December 1993 Notice of Proposed Rulemaking, EPA conducted a sampling and analysis program to collect additional data characterizing the performance of bleached papergrade kraft and papergrade sulfite mills employing advanced pulping and bleaching technologies.

Wastewater samples from bleached kraft mills were collected at Louisiana-Pacific Corporation (Samoa, California); Crestbrook Forest Industries, Ltd. (Skookumchuck, British Columbia, Canada); Stora Billerud AB—Gruvön Mill (Grums, Sweden); and Enocell Oy (Uimaharju, Finland). The pulping and bleaching technologies evaluated at these kraft mills are: 1) oxygen delignification in conjunction with elemental chlorine-free (ECF) bleaching; 2) ECF bleaching in addition to both oxygen delignification and extended delignification; and 3) totally chlorine-free (TCF) bleaching.

Wastewater samples for both ECF and TCF bleaching at a papergrade sulfite mill were collected at Stracel SA in Strasbourg, France.

The information relating to these sampling activities that has been added to the Docket includes: Pre-sampling site visit reports; Sampling and Analysis Plans; Analytical laboratory reports; Data quality review memoranda; and Correspondence and telephone contact reports.

#### **AF&PA/NCASI Industry Surveys**

In response to several of the data solicitations described in the Notice of Proposed Rulemaking, five separate surveys were developed and administered by the National Council of the Paper Industry for Air and Stream Improvement (NCASI) on behalf of the American Forest & Paper Association (AF&PA). Completed surveys were provided to EPA for consideration in developing the final regulations. Each survey is described below. Except as noted, the survey data are now available in the Docket.

a. Data Request for Secondary Fiber Non-Deink Mills. This data request collected information about water use, wastewater treatment, and wastewater recycle and reuse at mills that make products from non-deinked secondary fiber. The survey sought to evaluate the

technical feasibility of zero discharge (100% wastewater recycle) as a basis for new source performance standards by identifying characteristics, if any, distinguishing zero discharge mills from mills not currently achieving zero discharge.

NCASI mailed the questionnaires to mills with production comprised of a high percentage (at least 80%) of non-deinked secondary fiber and several other mills that previously claimed they achieve 100% recycle. NCASI forwarded the completed survey forms to EPA. About half of the mills responding claimed the survey data as confidential business information. Survey forms for the remaining mills are available for public review in the Docket.

b. Recovery Furnace Capacity Survey. The survey objective was to compile a detailed inventory of the recovery furnaces operated by the industry. Information requested included furnace capacity data, current operating rates, and a history of the modifications and capacity upgrades which have been made to each recovery furnace. This information was collected to help resolve the disparity between AF&PA and EPA cost estimates for the proposed rule.

NCASI distributed the questionnaires to companies with bleached and unbleached kraft mills and requested information on the recovery furnaces. Survey data for over 100 mills have been provided to EPA. Survey data not claimed as confidential business information have been placed in the public Docket.

c. Best Management Practices Questionnaire. NCASI conducted this survey to collect general information regarding the existing infrastructure (e.g., tanks, curbing) and control systems in place at mills for preventing and controlling pulping liquor leaks and spills. The survey also requested information about the costs associated with implementing spill prevention and control programs. Survey forms were sent to a group of bleached, unbleached and dissolving kraft mills; dissolving and papergrade sulfite mills; semi-chemical mills; and non-wood chemical pulp mills.

d. Capital and Operating Cost Requests. The Capital and Operating Cost Request collected engineering cost information for process technologies forming the basis of the proposed effluent limitations guidelines and standards. NCASI distributed the surveys to several mills that recently (1) installed extended delignification, oxygen delignification, or pressure screens; (2) upgraded brown stock

washers; (3) increased chlorine dioxide capacity; or (4) upgraded recovery furnace capacity. The objective was to collect cost information that could be used to modify, if appropriate, cost curves used by EPA to estimate the costs of complying with the proposed regulations or other control options. Information not claimed as confidential business information are available for review in the Docket.

e. Operating Data Requests for Recently Installed Pulping and Bleaching Technologies. This survey was developed to collect information from mills that have made pulping and bleaching process changes in the last three years. These data were collected to update the status of the process technologies in place at the mills to better evaluate industry comments and revise mill-specific compliance cost estimates, if appropriate.

NCASI distributed the questionnaires and provided the results to EPA. Information not claimed as confidential business information is available for review in the Docket.

#### **Other Data Added to the Docket**

EPA has collected and received other data since proposal in addition to that described above. EPA and its contractors have visited several mills to further assess controls considered at the time of proposal and to collect information to fully evaluate comments and data submitted by the industry and other interested parties. EPA has met with industry representatives and other interested parties, and has participated in several technical conferences since the proposal.

Many of these activities are documented by materials now included in the Docket. These materials include site visit reports, meeting reports, correspondence with industry and other interested parties, and technical literature.

EPA is also adding to the Docket data and other information characterizing performance, costs, and technical feasibility of regulatory control options. For example, EPA has received and added to the Docket effluent performance data from several mills that use complete chlorine dioxide substitution, which is key to the industry's suggested technology basis for papergrade kraft mills. The industry-suggested alternative was described in the proposal at 58 FR 66078, 66173 (December 17, 1993), but was not fully analyzed at that time due to insufficient data. The Agency is now reviewing the new data and will give serious consideration to the industry's

alternative as a technology basis for setting limitations and standards.

EPA is also adding to the Docket information that describes changes to the computer implementation of the statistical methodology used to develop effluent limitations. The Agency plans to modify the computer implementation that was used for the proposal. While the statistical methodology remains unchanged, the revised computer program provides more reliable results in an interim step used to calculate the limitations. A memorandum describing the change is available in the Docket.

Dated: June 26, 1995.

**Robert Perciasepe,**

*Assistant Administrator for Water.*

[FR Doc. 95-16423 Filed 7-5-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 80

[FRL-5255-4]

#### **Announcement of Hearing Regarding Opt-Out of the Reformulated Gasoline Program: Jefferson County, Albany and Buffalo, New York; Twenty-Eight Counties in Pennsylvania; and Hancock and Waldo Counties in Maine, General Procedures for Future Opt-Outs**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of hearing.

**SUMMARY:** EPA is announcing a hearing to take place July 5, 1995, at 11:00 a.m., in Washington, DC. The Agency will hold a public hearing on the proposed opt-out of the reformulated gasoline program for designated New York, Pennsylvania, and Maine counties and on the general procedures for future opt-outs.

**DATES:** The hearing will be conducted on July 5, 1995, from 11:00 a.m. until 5:00 p.m.

**ADDRESSES:** The hearing will take place at the Hyatt Regency Washington on Capitol Hill, 400 New Jersey Avenue, NW, Washington, DC 20001, in the Ticonderoga Room.

Materials relevant to this notice have been placed in Docket A-94-68. The docket is located at the Air Docket Section, Mail Code 6102, U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, in room M-1500 Waterside Mall.

Documents may be inspected from 8:00 a.m. to 4:00 p.m. A reasonable fee may be charged for copying docket material.

**FOR FURTHER INFORMATION CONTACT:** Mr. Mark Coryell, U.S. Environmental Protection Agency Office of Air and

Radiation, 401 M Street, SW (6406J), Washington, DC 20460, (202)233-9014.

**SUPPLEMENTARY INFORMATION:** In a separate action published in the **Federal Register** on June 14, 1995 (60 FR 31269), EPA proposed to remove Jefferson County and the Albany and Buffalo areas in New York; twenty-eight counties in Pennsylvania; and Hancock and Waldo counties in Maine from the list of covered areas identified in section 80.70 of the reformulated gasoline rule. This was based on requests from the Governors of New York, Pennsylvania and Maine that these areas opt out of this federal program. EPA also proposed general rules establishing the criteria and procedures for states to opt-out of the RFG program.

A copy of this notice and other relevant material are available on the OAQPS Technology Transfer Network Bulletin Board System (TTNBBS). The TTNBBS can be accessed with a dial-in phone line and a high-speed modem (PH# 919-541-5742). The parity of your modem should be set to none, the data bits to 8, and the stop bits to 1. Either a 1200, 2400, or 9600 baud modem should be used. When first signing on, the user will be required to answer some basic informational questions for registration purposes. After completing the registration process, proceed through the following series of menus: (M) OMS (K) Rulemaking and Reporting (3) Fuels (9) Reformulated gasoline

A list of ZIP files will be shown, all of which are related to the reformulated gasoline rulemaking process. Today's notice will be in the form of a ZIP file and can be identified by the following title: OPTOHEAR.ZIP. The June 14, 1995, proposal for opt-out of specific New York, Pennsylvania, and Maine RFG areas and the proposed general opt-out criteria is identified by the following title: OPTONPRM.ZIP. To download these files, type the instructions below and transfer according to the appropriate software on your computer: <D>ownload, <P>rotocol, <E>xamine, <N>ew, <L>ist, or <H>elp Selection or <CR> to exit: D filename.zip

You will be given a list of transfer protocols from which you must choose one that matches with the terminal software on your own computer. The software should then be opened and directed to receive the file using the same protocol. Programs and instructions for de-archiving compressed files can be found via <S>ystems Utilities from the top menu, under <A>rchivers/de-archivers. Please note that due to differences between the

software used to develop the document and the software into which the document may be downloaded, changes in format, page length, etc. may occur.

#### **List of Subjects in 40 CFR Part 80**

Environmental protection, Air pollution control, Fuel additives, Gasoline, and Motor vehicle pollution.

Dated: June 29, 1995.

**Mary D. Nichols,**

*Assistant Administrator Office of Air and Radiation.*

[FR Doc. 95-16606 Filed 6-30-95; 3:00 pm]

BILLING CODE 6560-50-M

#### 40 CFR Part 140

[FRL-5254-2]

RIN 2040-AC51

#### **Marine Sanitation Devices; Proposed Regulation to Establish Drinking Water Intake Zones in Two Sections of the Hudson River, New York State**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency is proposing to establish two Drinking Water Intake Zones in two portions of the Hudson River, in response to an application received by the New York State Department of Environmental Conservation (NYSDEC). Establishment of a Drinking Water Intake Zone serves to completely *prohibit the discharge of vessel sewage*, treated or untreated, to waters contained in that zone. Proposed Zone 1 is bounded by the Mohawk River on the south and Lock 2 on the north. It is approximately 8 miles long. Zone 2 is bounded on the south by the Village of Roseton on the western shore and bounded on the north by the southern end of Houghtaling Island. Zone 2 is approximately 60 miles long.

**DATES:** Comments on this proposed rule must be submitted to EPA on or before September 5, 1995. Public Hearings regarding this proposed rule will be held in New Paltz, New York on August 9, 1995 and in Waterford, New York on August 10, 1995. Comments may be submitted orally or in writing at either of these Public Hearings.

**ADDRESSES:** Written comments or requests for information may also be submitted to Patrick M. Durack, Chief, Water Permits and Compliance Branch (25th Floor), U.S. Environmental